

**UNITED STATES DISTRICT COURT
MEMORANDUM**

Date: March 21, 2013
To: Gerald Carroll
Re: Carroll v. Dolan, et al., CV-00864-UNA
From: Judge Kornmann

You requested nine witnesses be subpoenaed for trial. Five of those, Brian Dolan, Charles Johnson, Jerry Leyshock, Ronald Henderson, and Michael McCann, have been served. Through the diligence of counsel for the defendants, we now have more current addresses for Keith Kernebeck, John Hayden, and Robert Fischer. I will be entering an order to serve those witnesses at the addresses provided by counsel for defendants.

One witness, James Mowry, is working overseas and will not be back in the United States until May. He thus will not get served with a subpoena or appear at the April 7 trial. James Mowry, along with Keith Kernebeck, are alleged to have transported you to the hospital on the date of your arrest. Please advise whether you wish to have the trial of this matter continued to secure the presence of James Mowry or whether instead you wish to go to trial on April 7, hopefully with the testimony of Keith Kernebeck.



CHARLES B. KORNMANN
UNITED STATES DISTRICT JUDGE
United States Courthouse
102 Fourth Avenue SE, Suite 408
Aberdeen, SD 57401
605-377-2600

cc: Clerk's file